

ORDINANCE NO. 2022-53

**AN ORDINANCE RELATING TO EXPIRATION OF FINAL DEVELOPMENT PLANS,
THEREBY AMENDING CHAPTER 21 OF THE CITY CODE**

The City Council of the City of Bloomington hereby ordains:

Section 1. Division A of Article V of Chapter 21 relating to final development plans is hereby amended by deleting those words within brackets and [~~stricken through~~] and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

**Article V: Administration and Nonconformity
Division A: Approvals and Permits**

21.501.03 Final development plans

(f) Expiration. Final development plans for the first, or single, phase of development expire two years after approval if no building permit (or other applicable permit if no building permit is required) is issued for the approved development within that timeframe. This expiration standard applies to all final development plans approved on or after December 1, 2009. For single-phase developments, prior to plan approval expiration, a land owner may apply to the Director of Community Development for no more than two one-time extensions of up to one year each. For multiple phase developments, each subsequent phase expires after the later of:

(1) Two years after approval of the final development plan for that phase of development if no building permit (or other applicable permit if no building permit is required) is issued for the phase of development within that timeframe or;

(2) Two years after the first temporary or permanent certificate of occupancy is issued for the preceding phase. A land owner may apply to the Director of Community Development for no more than two one-time extensions of up to one year each on each phase. The Director of Community Development may issue ~~the~~ an extension upon a finding that the applicant is making a good faith effort to make progress on the final development plans.

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Approved and adopted on the 28th day of November, 2022.

/s/ Dwayne Lowman
Acting Mayor

ATTEST:

APPROVED:

/s/ Matt Brillhart
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney